MAR 0 3 2003 F

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#8

Marc ALAIA et al.

Application No.: 09/828,731

Group Art Unit: 3624

Examiner: Jagdish Patel

Filed: April 9, 2001

)

METHOD AND SYSTEM FOR

CONTROLLING THE INITIATION AND DURATION OF OVERTIME INTERVALS IN ELECTRONIC

AUCTIONS

SUPPLEMENTAL INFORMATION DISCLOSURY STATEMENT PURSUANT TO 37 C.F.R. §§ 1.50 ET.S

Commissioner of Patents and Trademarks Washington, D.C. 20231

Dear Sir:

For:

In accordance with 37 C.F.R. § 1.97(c), the above-identified Applicants cite the following patent and publication, which may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 C.F.R. § 1.56. This Information Disclosure Statement is being filed before the mailing date of the final action and a petition with the required fee set forth in § 1.17(p) is being submitted simultaneously herewith.

CERTIFICATE OF MAILING (37 C.F.R. § 1.8)

I hereby certify that this paper, and the papers and/or fees referred to herein as transmitted, submitted or enclosed, are being deposited on the date shown below with the U.S. Postal Service with sufficient postage as first-class mail in an envelope addressed to the Commissioner of Patents and Trademarks, Group Art Unit 3624, Washington, D.C. 20231.

Name Kim R. Jessum Signature

Date of Deposit February 26, 2003

03/04/2003 SFELEKE1 00000053 09828731

01 FC:1806

180.00 OP

In compliance with 37 C.F.R. § 1.98(a), copies of the patents and other publications set

With below and listed on the attached Form PTO-1449 (1 sheet) are provided.

U.S. Patents

Patent No.	<u>Issue Date</u>	<u>Patentee</u>		
6,044,363	March 28, 2000	Mori et al.		
6,216,114	April 10, 2001	Alaia et al.		
6,285,989	September 4, 2001	Shoham		

Other Publications

Fox, "The Calm Way of Buying and Selling Livestock," Sydney Morning Herald, October 10, 1988.

"What You Need to Know to Bid in FCC's Narrowband Auction," Washington Telecom News, June 27, 1994.

Rockoff, et. al., "Design of an Internet-Based System for Remote Dutch Auctions," Internet Research: Electronic Networking Applications and Policy, Volume 5 – Number 4, pp. 10-16, 1995.

"SHOPPERSUNIVERSE," August 27, 1996.

Jackson, "FCC Charges for Online Bidding," Government Computer News, Jackson, "FCC Charges for Online Bidding," Government Computer News, Jackson, "FCC Charges for Online Bidding," Government Computer News, Jackson, "FCC Charges for Online Bidding," Government Computer News, Jackson, "FCC Charges for Online Bidding," Government Computer News, Jackson, "FCC Charges for Online Bidding," Government Computer News, Jackson, "FCC Charges for Online Bidding," Government Computer News, Jackson, "FCC Charges for Online Bidding," Government Computer News, Jackson, "FCC Charges for Online Bidding," Government Computer News, Jackson, "FCC Charges for Online Bidding," Government Computer News, Jackson, "FCC Charges for Online Bidding," Government Computer News, Jackson, "FCC Charges for Online Bidding," Government Computer News, Jackson, "FCC Charges for Online Bidding," Government Computer News, Jackson, "FCC Charges for Online Bidding," Government Computer News, Jackson, "FCC Charges for Online Bidding," Government Computer News, Jackson, "FCC Charges for Online Bidding," Government Computer News, Jackson, "FCC Charges for Online Bidding," Government Computer News, Jackson, "FCC Charges for Online Bidding," Government Computer News, Jackson, "FCC Charges for Online Bidding," Government Computer News, Jackson, "FCC Charges for Online Bidding," Government Computer News, Jackson, "FCC Charges for Online Bidding," Government Computer News, Jackson, "FCC Charges for Online Bidding," Government Computer News, Jackson, "FCC Charges for Online Bidding," Government Computer News, Jackson, "FCC Charges for Online Bidding," Government Computer News, Jackson, "FCC Charges for Online Bidding," Government Computer News, Jackson, "FCC Charges for Online Bidding," Government Computer News, "FCC Charges for Online Bidding," Government Computer News, "FCC Charges for Online Bidding," Government Charges for Online Bidding, "FCC Charges for Online Bidding," Government Charges for Online Bidding, "FCC Charges for Online Bidding," Government C

"Adauction.com Boosts Revenue With Enhanced Ad *Auction* Format; Morning and Afternoon *Auctions* and "AutoExtend" Feature Maximize Opportunistic Media Buying on the Web," Business Wire, May 4, 1998.

Woods, "Excite Calls Online Auctions," Newsbytes News Network, June 10, 1998.

"Internet: Excite Going Once, Twice, Three Times to Auction," Network Briefing, June 11, 1998.

Kumar, et. al., "Internet Auctions," Third USENIX Workshop on Electronic Commerce Proceedings, p. 49, August 31-September 3, 1998.

Applicants respectfully request that these items be considered by the Examiner, and that the Examiner acknowledge consideration of these references by initialing and returning copies of the enclosed Form PTO-1449 (X sheets) with the next official action.

PATENTAttorney Docket No. 046700-5004-12

While this Supplemental Information Disclosure Statement may be "material" pursuant to 37 C.F.R. §1.56, it is not intended to constitute an admission that any patent, publication or other information referred to herein is "prior art" for this invention or otherwise material to the patentability of this invention as defined in 37 C.F.R. § 1.56.

In accordance with 37 C.F.R. § 1.97(g), the filing of this Supplemental Information Disclosure Statement shall not be construed as a representation that a search has been made or that no other material information as defined in 37 C.F.R. § 1.56(b) exists.

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310.

Respectfully submitted,

Esterny 26, Clos

Reg. No. 43,694

MORGAN, LEWIS & BOCKIUS, LLP

1701 Market Street

Philadelphia, PA 19103-2921

Telephone: (215) 963-4753 Facsimile: (215) 963-5299

PTO/SB/17 (01-03) Approved for use through 04/30/2003. OMB 0651-0032 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. Complete if Known E TRANSMITTAL 09/828,731 **Application Number** Filing Date April 9, 2001 for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

SUBMITTED BY

Kim R. Jessum

First Named Inventor

Examiner Name

Alaia et al.

Jagdish Patel

(Complete (if applicable)

Telephone 215 963-4753

Applicant claims small entity status. See 37 CFR 1.27				Art Unit			3624	
TOTAL AMOUNT OF PAYMENT (\$)		ŀ	Attorney Docket No.		cket N	046700-2004-121/2		
TOTAL AMOUNT OF FAMILIES.			Altorney bocket No. 1040700 104112 77					=
METHOD OF PAYMENT (check all that apply)		Art Unit 3624 Attorney Docket No. 046700-5004-12 FEE CALCULATION Continue 3. ADDITIONAL FEES Large Entity Small Entity Fee Fee Code (\$) Fee Fee Code (\$) Fee Paid 1051 130 2051 65 Surcharge - late provisional filing fee or						
✓ Check Credit card Money Other None		3. ADDITIONAL FEES						
Deposit Account:			Entity		Entity	2 2	7	
Deposit			Fee Code		Fee Code	Fee (\$)	Fee Description	Fee Paid
Account		1051		2051	65	Surcharge - late filing fee or oath	/	
Number Deposit		1052	50	2052	25	Surcharge - late provisional filing fee or		
Account Name			4050	400	4050		cover sheet	
The Commissioner is authorized to: (check all that apply)		1053	130 2,520	1053 1812		Non-English specification For filing a request for ex parte reexamination		
Charge fee(s) indicated below Credit any overpayments		1804	920*	1804	-	Requesting publication of SIR prior to		
Charge any additional fee(s) during the pendency of this application		1004	920	1004		Examiner action		
Charge fee(s) indicated below, except for the filing fee		1805	1,840*	1805	1,840*	Requesting publication of SIR after		
to the above-identified deposit account.		1251	110	2251	55	Examiner action Extension for reply within first month		
FEE CALCULATION		1251	410	2251	205	Extension for reply within second month		
1. BASIC FILING FEE		1252	930	2252	465	Extension for reply within third month		
Large Entity Small Fee Fee Fee		Fee Paid		1,450	2254	725		
Code (\$) Code							Extension for reply within fourth month	
1001 750 2001	375 Utility filing fee			1,970	2255	985	Extension for reply within fifth month	
1002 330 2002	165 Design filing fee		1401	320	2401		Notice of Appeal	
1003 520 2003	260 Plant filing fee		1402	320	2402		Filing a brief in support of an appeal	
1004 750 2004	375 Reissue filing fe	e	1403	280	2403	140	Request for oral hearing	
1005 160 2005	5 80 Provisional filing	fee		1,510	1451		Petition to institute a public use proceeding	
	SUBTOTAL (1)	(\$)	1452	110	2452	55	Petition to revive - unavoidable	
		1453	1,300	2453	650	Petition to revive - unintentional		
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE			1,300	2501		Utility issue fee (or reissue)		
Total Claims	Extra Claims	below Fee Paid	1502		2502		Design issue fee	
Independent	-3" = \ \ \ \ \ \ \		1503	630	2503		Plant issue fee	
Claims — Multiple Dependent			1460	130	1460		Petitions to the Commissioner	
	_		1807	50	1807		Processing fee under 37 CFR 1.17(q)	\$180
Large Entity Sm Fee Fee Fe	<u>iall Entity</u> se Fee <u>Fee Descrip</u>	tion	1806	180	1806		Submission of Information Disclosure Stmt	\$10U
Code (\$) Co	ode (\$)		8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
	2202 9 Claims in exces		1809	750	2809	375	Filing a submission after final rejection	
		aims in excess of 3					(37 CFR 1.129(a))	
1203 280 2203 140 Multiple dependent claim, if not paid		1810	750	2810	375	375 For each additional invention to be examined (37 CFR 1.129(b))		
1204 84 2204 42 ** Reissue independent claims over original patent		1801	750	2801	375	Request for Continued Examination (RCE)		
1205 18 2	•	ns in excess of 20	1802		1802		Request for expedited examination of a design application	
				Other fee (specify)				
*Reduced by Basic F				Filing Fe	ee Paid SUBTOTAL (3) (\$) 180.00	0		
or manufact provided by paid, if greater, i or released, see above								

Name (Print/Type) 43.694 (Attorney/Agent) February 26, 2003 Signature WARNING: Information on this form may become public. Credit card information should not

be included on this form. Provide credit card information and authorization on PTO-2038. This collection of information is required by 37. CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

Registration No.